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Guild sponsors discussion

FBI in San Diego

On the evening of April 21, at USD Law School's More Hall, the San Diego Chapter of the National Lawyers Guild will sponsor a panel discussion on FBI counterintelligence activities during the late 60's. The theme of the discussion is "The FBI in San Diego: Past Plots And Current Litigation."

Panel speakers will include representatives from the ex-San Diego Chapter of the Black Panther Party, ex US organization, the Socialist Workers Party, and Convention Coalition.

Attorneys Peter Schey and Peter Young will comment on the Freedom of Information Act lawsuits which are currently pending against the FBI as a result of its counterintelligence activities.

Bill Ritter, from the San Diego Convention Coalition, will speak on the investigative work he did around the Peter Bohmer/Paul Tharp lawsuit against the FBI. Ritter was a reporter for the San Diego Door, a radical street journal which broke the story of the FBI's involvement in the Secret Army Organization's physical attack on Tharp and Bohmer.

Peter Young, a Guild attorney, will comment on the Bohmer/Tharp lawsuit.

Peter Schey, another Guild attorney, will talk on Burt Wallrich's lawsuit against the FBI. Wallrich was fired by Campbell Industries last year when he submitted health and safety complaints against Campbell. His lawsuit is an attempt to show the extent of the FBI's intervention in his labor organizing activities.

Representing the ex US organization will be Ron Karenga, a San Diego black activist. Karenga has been instrumental in organizing community support for San

Diego City Council hearings on the FBI which are scheduled to be held this month. Karenga recently made headlines in the L.A. Times when the Senate Intelligence Committee released FBI documents which state the FBI bombed US headquarters in San Diego.

Other speakers will talk on FBI intervention in political organizing during the late 60's. Judy DiGennaro, a Guild attorney, will moderate the program.

The program will start at 7:30 p.m. in More Hall at USD Law School. Admission is free.

the woolsack

VOL. 15 NO. 7

University of San Diego

- A Law Student Publication

APRIL, 1976

In Memoriam

Thursday evening, April 15th, Michael David Mohr, 22, a second-year law student at the University of San Diego Law School was killed in a plane crash.

Michael was returning to his home in Palm Springs when the light plane carrying him and five others crashed in the Riverside County back country.

We wish to express our deep sympathy to his family and friends.

Weinglass to Speak

Tuesday, April 20, at 7:30 Leonard Weinglass will speak in More Hall at the University of San Diego. His topic will be "Justice in America." Weinglass is currently the attorney for William and Emily Harris, the two members of the SLA who were arrested with Patricia Hearst. Weinglass' other clients have included Russell Means, the national chairman of the American Indian Movement Abbie Hoffman, Tom Hayden and Rennie Davis, at the Chicago Eight trial, Anthony Russo, in the Pentagon

Papers trial, and he assisted Charles Garry and Catherine Rohrbach in the defense of Bobby Seale and Erika Huggins at New Haven.

Weinglass is a member of the New Jersey and California Bars. He was an official observer at the Adolf Eichmann

trial in Israel in 1960. Recently Weinglass has been the attorney for Olga Talamante, a Californian who, until a few weeks ago had been held and tortured by Argentinian authorities.

Civil and Mexican Law Offered

A special evening course dealing with Civil law and Mexican law, co-sponsored by the Pepperdine University School of Law and the Universidad Autonoma School of Law in Guadalajara, will be offered this summer. Approaching the dual topics from both an academic and clinical approach, it is possibly the first clinical program offered abroad.

In the unique cooperative nine week program, Pepperdine students will study Mexican law, and take a condensed conversational Spanish language course. During the final three weeks of the course, the American students will study in Guadalajara.

That the cooperative program was

created out of a growing need for attorneys to gain a working knowledge of the law systems in bordering countries.

In addition to studying the Mexican court system first-hand, Pepperdine students will concentrate on civil law, including such topics as "The Role of Courts in Mexico in Controlling Government Action," "Mexico Amparo," "Land Reform," "Security," "Legitimacy," and "Inequality."

Pepperdine University's School of Law is located at 1520 South Anaheim Boulevard in Anaheim. More information about the special cooperative law program can be obtained by calling Professor Keyes at (714) 776-4490.

Tax - As Required

It is with considerable regret that I admit that nothing has come in for our hoped-for symposium on the tax requirement at USD. Still, since the topic is of interest to me and, I think, to some of our readers, I present some views on the tax requirement.

VIEWS FROM THE PROFS

As usual in cases involving administration policy, the views of Dean Lazerow had to be sought out on this question. This time, however, his personal knowledge was also relevant.

Dean Lazerow is a former employee of the IRS and has taught tax for several years since coming to USD. In a recent interview, he ventured the following statements, some gratuitous but most in answer to my questions:

Tax is a common requirement in schools with required courses after the first year. (Some schools, like Hastings, have no requirements after first year and permit students to plan programs with the requirements of specific state bars in mind - a policy Dean Lazerow termed a "cop out.")

Tax is no longer a required California bar subject. (It was dropped in 1973.) Dean Lazerow was not aware of any plan to reinstitute the requirement.

As taught at USD, Tax I is a survey course in Federal tax laws on individual incomes. As a survey, it is aimed at familiarizing students with the sources of the law, some basic concepts of income taxation and some common problems. It is the only required course that emphasizes statute law.

Dean Lazerow said that the required course, if properly assimilated by the student and supported by reasonable continuing education, would permit a person in general practice to recognize potential tax problems and to do some research on them. For tax practice itself, however, Tax II and Federal Estate and Gift Tax are minimum requisites.

State taxes are not stressed in the required course because most state income tax laws closely parallel the laws of the federal government.

Dean Lazerow's test for determining whether or not a course should be required has two parts: (1) the subject must be difficult to learn without classroom instruction, and (2) the subject must be broad enough to touch most students who will be engaged in practice. He has concluded that tax meets both parts of the test and so favors continuing the requirement. He contends that some

knowledge of tax law is necessary even in personal injury and criminal law practice.

Preparation and participation in his Tax I classes are equal to the preparation and participation in the other classes he teaches, according to Dean Lazerow.

Under the present requirement, an inadequate number of hours is allocated to the subject. Dean Lazerow would favor a four-unit course or a six-unit sequence instead.

I also consulted Professor Sarah Velman, both because of her involvement with the academic rules committee and because she also teaches the required tax course. Mrs. Velman is a certified public accountant with a master's degree in accounting. She is a former professor of accounting.

Although she did not advocate eliminating the tax requirement, Professor Velman thought that Tax I would probably be easier to teach if it

Continued on Page 5

Honor Court

The Woolsack has learned through confidential sources that the controversial case of Robert Alan Sheinbein has been resolved by the Honor Court.

Sheinbein was convicted on one count of bringing unauthorized materials into an examination. He was acquitted on another count alleging the same violation in another exam. Sheinbein reportedly made a procedural contention at the hearing that the complaint had been improperly filed. The court did not hold the contention sufficient for dismissal. He was represented by Professor Darrell Bratton. The Honor Court prosecutor was Ed Danelski.

In a previous hearing, the court sentenced Sheinbein to public censure by letter. He was allowed to retain the grade in the class where the charge resulted in conviction. It is suggested by a reliable source that the same sentence will be imposed in this rehearing. The case attracted considerable attention because of charges in rumors that improper influence was brought to bear on the court and that the sentence was excessively lenient.

At the request of the court and the parties, the Woolsack did not print the story in the last issue because of the rehearing that was granted. The full letter should be available in the Honor Court file on reserve in the Library by Monday, when the Woolsacks, is out.

WOOL-SACK. The seat of the Lord Chancellor of England in the House of Lords, being a large square bag of wool, without back or arms, covered with a red cloth. — *Black's Law Dictionary*

From the Editor

Prima Mater on the Material Issues

Mother Nature's Two Bits

How Do We Live?

Proposition 15 is more than "safe" nuclear energy. It, perhaps more than any other proposed bill or even candidate, challenges the basic structures of current American Society. Who is opposed to it? The Construction industry, for one -- the developers, contractors, unions. The men responsible for such abuses to the landscape as Clairemont (named after Claire Burgener, San Diego politician). California claptraps, enshrined in the Building Codes and protected by zoning regulations, are to electricity what Detroit gashogs are to gasoline: overfed and undernourished, obese lathe and plaster pigs.

San Diego has one of the most desirable climates in the world. And yet most of us always have our heat on. Our houses are priced exorbitantly and built terribly. Anyone who has ever lived in Sweden, for example, or who has studied American Indian village construction, can tell you our houses are too hot in summer and too cold in winter because of poor insulation. King Golden, a 41st District Congressional candidate who spoke here last week, indicated that reports show that if the Federal Government insulated every house in America, the cost of doing so would pay for itself in three years -- in saved energy.

The oil and utilities companies don't want Proposition 15 to pass. Proposition 15 would force implementation of solar research -- the installation of solar heating units. The utilities companies don't want this because once a solar heating unit is installed, that's it. Pretty much, heat forever. No monthly bills for heat. I would like that! The utilities companies wouldn't. Also, nuclear energy is a "clean" yet potentially disastrous and efficient, yet expensive way of providing energy for the ELECTRICAL SYSTEMS WHICH ALREADY EXIST. Sure, people in the building industry are happy to build these multimillion dollar monsters which pump electricity through the already installed wires which permeate our society. Big central plants like hearts pumping electricity to all its little veins and cells. But who wants it? Who wants to be plugged in forever to the great central electric pump?

Current social reconsideration programs in California include the ideas of Sim Van der Ryn, the newly appointed state architect. He says, "We can cut our energy needs by 90 percent if only we will learn to live in integrated, small-scale, self-sustaining habitats." Wouldn't it be nice, small groups of people cooperating together to operate windmills, to farm their own gardens, to build their own solar-heated houses, to generally be less dependent on Octopus Power?

Who Goes to Court for Whom?

Mother Nature also smiles upon Sidney Wolinsky, who just won himself a \$400,000 judgement in court. His clients? California children. Echoing California superintendent of schools, Wilson Riles, Wolinsky's days in court were directed towards abolishing the need for busing. WHY SHOULD POOR CHILDREN HAVE TO BE BUSED TO RICH NEIGHBORHOODS IN ORDER TO GO TO GOOD SCHOOLS? ALL SCHOOLS SHOULD BE GOOD SCHOOLS. Wolinsky's Public Advocates brought suit against the State of California to force the state to equalize funding for rich and poor districts alike by 1980 (Serrano v. Priest). Wolinsky's \$400,000 will be used to hire more attorneys to work for similar causes. How about that?

What Do We Learn At School?

Mother Nature sighs with relief at the attitudes of current leaders in California Education. Ruth Love, the Oakland Superintendent of Schools, a lovely Black lady, says, "It's back to basics." Touchy-feely-psychology teaching methods in lower schools won't teach kids how to read and write. The English language is an instrument of communication, and until one learns to wield this tool he will be unable to "express himself". (It is very ironic that law students find Gilbert's more readable than Cardozo. Perhaps that is because there is a lot of programming going on in the lower schools and not very much educating. Isn't one supposed to emerge from a higher-educational experience as a gentleperson and a scholar?)

How Do We Regard Our Fellow Beings?

And all the little critters have found themselves a candidate! "One organism-one vote!" is the campaign slogan of George Papoon, "the happiest of the candidates". And the ONLY one CERTIFIED NOT INSANE. He believes in animal suffrage. And isn't it about time? Even the term "environmentalist" would be much more acceptable if it were "naturalist". HOW ARROGANT WE HUMANS ARE! Animals are not only not legal entities, they are hardly regarded as LIVING entities. Even environmentalists focus more on "biosystems" than on "Living Things." Who do we think we ARE, breeding animals as if they were PLASTIC Porky Pigs, born expressly to die. Little calves never drink their mother's milk, little lambs never see the light of day. New Jersey chicken farmers raise their own chickens in their back yards; they wouldn't eat the Factory-fresh chickens they scientifically produce. THEY know what kind of "lives" those chickens lead. The eggs we buy at grocery stores were produced by chickens kept in 1/2 foot square cages, where 17% of them die of STRESS each year. They never get a chance to LIVE! How can we eat them with any respect for life? Are they blessed and thanked before they are butchered? Not hardly. Virtually all animals butchered in this country die in pain and terror.

How Do We Look At Life?

Nor is Mother Nature averse to stooping to a little partisan politics. Case in point, California's favorite Buddhist, Jerry Brown. Sure, he is enigmatic, arrogant, and unable to eat campaign-dinner food. But when he says that we must readjust our expectations, he is not saying we must become a poor and weak country. He is saying that we must look for quality in life, not only quantity. Anyone who has ever had a weight problem rising out of general despair, can tell you how unsatisfying 7000 calories worth of garbage food can be, eaten alone and compulsively. And how incredibly beautiful K-rations around a campfire can be (not that I espouse K-rations, but rather the SPIRIT in which in this setting they, or anything else, might be eaten). It is possible to live a sterile, void existence in a \$500,000 house and a peaceful, easy life in a structure the Department of Health would condemn as fast as they could get the papers signed. Once again, I am not AGAINST \$500,000 houses and FOR hovels. The question is, are we living in an atmosphere of peace and harmony, fellowship and brotherhood, responsibility for self and cooperation

with others? Do we enjoy our solitude, or HIDE OUT from the world, when we go somewhere to be alone? Do we seek a full life, or seek to FILL UP our lives?

Maybe it is out of this context that Brown comes when he says that we cannot expect the government to solve all our problems. He is saying, listen, folks, there are things a government can do, good things which will benefit all of us.

But government can't MAKE you happy, provide you with an attitude, or a reason for living. Life is complex, tragic, paradoxical. Government seeks to order society. Hopefully, that attempt towards order will be enlightened by wisdom. It is not a coincidence that when Brown was asked what the difference between him and Carter was, he said, "Carter is a Baptist. I'm a Buddhist." Baptists seek salvation. Buddhists seek cosmic harmony and wisdom (if they are Hinayanas, for themselves. If Mahayanas, for the enlightenment of all sentient beings. If Zen, for the eternal space of Now.) Perhaps we are heading out of American Puritanism into a new Spiritual

environment. God knows we need it. On our money is written "In God We Trust". A lot of us have come to think that the God referred to is the money itself. When Dylan said, "It is not he or she or them or it that you belong to," perhaps he was referring to this distortion of the concept of divine authority, as something outside, pressing down upon us. He and others of our generation have attempted to spread the word that God is that High Glee which keeps us together, individually and collectively. Evil splits us like hostile spores, insisting that the life of one depends on the death of another. To a certain extent it does. But what life and health really depends on is the spirit that directs us all towards life, that informs us with love and encourages us to rely on those feelings we know to be noble, rather than succumb to the temptation of opting for the safe, secure and probably decaying path of cynical yea-saying. Perhaps FDR can say it better. He said, "Happiness lies not in the mere possession of money; it lies in the joy of achievement, in the thrill of creative effort." Yeah.

Jacquelynn Garner

Clinic & Classroom

Double Folly

by Stephen Laudig

"Knowledge without sense is double folly." — Gracian

"Lawyers are word mongers and form shufflers." — Bob Burkholder

On the front page of the *Los Angeles Times* of February 9, 1976, an article titled, "Getting A Job is a Trial for New Lawyers," described the horrors of the job market for newly-minted attorneys. For those of you who have not read it, we recommend you do.

The assumption of this editorial is that law school is only in part an exercise in academia. There are certain essential academic principles and methods of analysis that can be understood purely in academic terms. Essentially, however, law school performs the same function for the legal community that trade schools serve for the craft industry. Law school should be conducted on craft school principles. Lawyers as craftsmen with words and a familiarity with legal forms.

Phi Beta Kappa keyholders, top tenners and law reviewers must go, hat in hand like petitioners and other mortals, to offices seeking work. The Department of Labor states there are 20,000 jobs for 30,000 graduates and 16,000 jobs. See *L.A. Times* article.

Students and parents have been misled by undergraduate counselors and think becoming a "professional" assures one of a comfortable future. They now suffer from the shock of realization that a law degree and a token will get one of them a ride on the subway.

Law graduates are responding by hanging out their shingles and practicing without warm-up time in a law firm's nest.

Law students had no control over the development of this situation. Several factors conspired to put them between a rock and a hard place:

- 1) The baby boom;
- 2) Short-sighted expansion in law schools, sometimes at the prodding of the undergrad schools they are associated with, to profit by the increased interest in attending law school;
- 3) Faulty economic assumptions adhered to by law school administrators regarding the job market which resulted in incorrect judgments
- 4) An obdurate position by law school administrators against innovations in legal education and a refusal to recognize and plan for changed economic conditions.

The U.S.D. administration, and a majority of the faculty, assuming they even consider such non-legal subjects as the job market or its graduates' futures,

refuses to abandon two economic assumptions:

1) The law job market for graduates is a sellers market;

2) Firms will "apprentice" recent graduates for a few years and pay them until they "really" know how to practice the law. As most of our readers are probably aware of until recently clerkship for a firm was considered an absolute prerequisite to practicing law.

Both of these assumptions were essentially correct until as recently as three years ago. They are trebly wrong now and will remain wrong for the foreseeable future.

The educational approach that grows out of those economic premises is this:

The U.S.D. administration and faculty feels absolutely no compulsion to prepare any student to practice law. Any preparation for legal practice coming out of the classroom is merely incidental to the Administration and Faculty's announced goal of providing an education in general law.

Examples of this policy are apparent in almost every class taken. In Civil Procedure how many motions to strike were examined in class? In Torts class, how many complaints for assault or negligence are seen? In criminal procedure, how many indictments were analyzed? Examine any casebook or other required materials. The only exception to this is where the problem method is used.

What was provided instead was reading cases about the court's policies. Abstract definition of practical application were given rather than the concrete forms and pleadings.

The only concession the administration and faculty has made towards progressive legal education which would train students to practice is the clinical program. This concession came about after a group of students lobbied for years and the Student Bar Association shelled out money to start the programs. The Clinical programs are presently underfunded. Retrogressive factions in both the faculty and the administration are attempting to cut the program back. The Clinical semester is intentionally designed to not work effectively.

Those who struggled to establish the clinics, and for that matter, any students here for more than a few weeks, can assess for themselves the likelihood that either the faculty or the administration will make any significant changes in either the curriculum or teaching method that would increase a graduate's ability to practice the law.

Cont. on Page 3

Double Folly cont.

Law school as trade school may offend the more ethereal professors and students, but for the vast majority of students law school is a training ground for practice. Students with their own interests in mind will lobby for more clinics, more problem study method in class and increased emphasis on pre-practical training.

Before you trust your future to the faculty and administration evaluate what they have done with their own past and present and speculate on their future.



SPOTTED POLAND CHINA HOG

Letters to the Editor

Dear Editor:

If Shaun K. Boss (Feb. Letters) had spent the time learning from Professor Velman and studying for the UCC II exam that he obviously spent looking in the dictionary for multi-syllabled words to put in his recent letter to the Woolsack he wouldn't have had to be so concerned about his exam.

I took both UCC I and UCC II from Professor Velman and thought him an excellent professor. I feel Professor Velman exhibited characteristics most desired in a law professor: namely a knowledge of his subject and a genuine interest in both his subject and his students.

As for his exams, Professor Velman is a professor concerned more with his students learning how to recognize and analyze a problem under the Code than memorizing the Code, hence his exams are "open book" as to the Code. In studying for these exams I used, among other things, Professor Velman's exams from prior classes. Neither these prior exams, nor the exams I was given in UCC I and II were in any way unfair. They dealt with areas covered in the reading and in the classroom; some dealt with specific points and some questions with general areas under the Code but none were unfair, and no one with a "very adequate knowledge" of the subject matter needed have any cause for alarm at these exams. If Mr. Boss spent only four or five days studying before this exam as his letter suggests, and did not spend a reasonable amount of time during the course of the semester studying this material then I can understand his consternation when presented with his exam questions, because one cannot learn to use and understand the Code in four or five days of "cramming" while doing the same for other classes.

I would not say that Professor Velman was my favorite professor during my 3 years at USD, but I would say without hesitation that he was one of the 2 or 3 best professors I had in law school and that the law school would do well to have more professors like Professor Velman.

James Terry Catlow
Attorney Class of 1974

Dear Editor:

"I loved, and still love, the beautiful Edwitha Howard, and intended to marry her. Yet, during my temporary absence at Benicia, last week, alas! she married Jones. Is my happiness to be thus blasted for life? Have I no redress?"

Of course you have. All the law, written and unwritten, is on your side. The *intention* and not the *act* constitutes crime - in other words, constitutes the *deed*. If you call your bosom friend a fool, and *intend* it for an insult, it is an insult; but if you do it playfully, and meaning no insult, it is *not* an insult. If you discharge a pistol *accidentally*, and kill a man, you can go free, for you have done no murder; but if you try to kill a man, and manifestly *intend* to kill him, but fail utterly to do it, the law still holds that the *intention* constituted the crime, and you are guilty of murder. Ergo, if you had married Edwitha *accidentally*, and without really *intending* to do it, you would not actually be married to her at all, because the *act* of marriage could not be complete without the *intention*. And ergo, in the strict spirit of the law, since you deliberately *intended* to marry Edwitha, and didn't do it, you are married to her all the same - because, as I said before, the *intention* constitutes the crime. It is as clear as day that Edwitha is your wife, and your redress lies in taking a club and mutilating Jones with it as much as you can. Any man has a right to protect his own wife from the advances of other men. But you have another alternative - you were married to Edwitha *first*, because of your deliberate intention, and now you can prosecute her for bigamy, in subsequently marrying Jones. But there is another phase in this complicated case: You *intended* to marry Edwitha, and consequently, according to law, she is your wife - there is no getting around that; but she didn't marry you, *you are not her husband*, of course. Ergo, in marrying Jones, she was guilty of bigamy, because she was the wife of another man at the time; which is all very well as far as it goes - but then, don't you see, she had no other *husband* when she married Jones, and consequently she was *not* guilty of bigamy. Now, according to this view of the case, Jones married a *spinster*, who was a *widow* at the same time and another man's *wife* at the same time, and yet who had no *husband* and *never* had one, and never had any *intention* of getting married, and therefore, of course, *never* had been married; and by the same reasoning you are a *bachelor*, because you have never been anyone's *husband*; and a *married* man, because you have a wife living; and to all intents and purposes a *widower*, because you have been deprived of that wife; and a consummate *ass* for going off to Benicia in the first place, while things were so mixed. And by this time I have got myself so tangled up in the intricacies of this extraordinary case that I shall have to give up any further attempt to advise you - I might get confused and fail to make myself understood. I think I could take up the argument where I left off, and by following it closely awhile, perhaps I could prove to your satisfaction, either that you never existed at all, or that you are dead now, and consequently don't need the faithless Edwitha - I think I could do that, if it would afford you any comfort.

Mark Twain

Free Trial - Free Press

By Jacki Garner

At last month's law school beer party, two of our distinguished professors, Kerig and Horton, debated the issue of Fair Trial vs. Free Press. Both of them were hard pressed to find a side on which to stand, so neither of them emerged scarred or victorious. Both of them agreed there should be fair trials and a free press.

Earlier this school year there was a "Fair Trial/Free Press" program held in San Diego. It was hailed by the attendant veterans of conferences such as this -- all interested parties who had made history and of whom had history been made -- as "the Best Ever". If the quality of the conference was measured by the amount of light generated by the luminaries present, that judgment must go untested.

The subject of gag orders was discussed by the judge who "gagged" the press before the Sirhan Sirhan trial. The role of the press as public janitors was exposed by Bill Meeks of the Detroit Free Press who proceeded to clean up any notions the public may have of the Michigan Bench as being an Equal Opportunity Employer: to qualify, you must be an Irish former governor. The LA Times reporter whose overzealous reporting won him the defendant's position of the decade in The Courts v the Press, was there to recount his tale. Mr. Jensen, the Oakland-Berkeley (Alameda County) prosecutor who prosecuted Huey Newton among others, provided by his presence substantiation to the contention that the good guys are really the bad guys, or vice versa, depending which side you are on.

But by far the most impressive personalities present were attorneys Flynn of Miranda fame and Charles Garry, defense counsel for the Panthers and the San Quentin 6. Flynn entered, spoke and excited: he appeared as a man

"He is the
consummate trial
lawyer: he'll only
tell you his side of
what time it is."

who had someone waiting on "hold" at all times. His English was impeccable; he cited cases. All he needed besides his striped suit, his *Mademoiselle* secretary and his sheaf of papers, was a cape to flourish as he strode off to more pressing matters. He didn't hang around to chat. He wanted no one near his clients, as any statement could be too easily misconstrued. He especially wanted guarded the sanctity of the pretrial hearing, as it was at this time the press could destroy a defendant most effectively. He pointed out that his current big client, an alleged land-fraud magnate, was, according to a survey he conducted, known to the general public as a "criminal." This kind of situation is impossible, he said: it was impossible to try Miranda until they changed his name to Juan Gomez. As Juan Gomez he was

Garry flatly stated
that "it was
impossible
for Bobby Seale
to have a fair trial"

speedily tried, and convicted. Bill Meek said of Flynn, "He is the consummate trial lawyer: he'll only tell you his side of what time it is."

Charles Garry's eloquence outshined his English. A former tailor turned attorney, he spoke for the people, and was given a standing ovation by all people

present. He was a good looking man, humble and gracious offstage, and moving on. In his presence one felt some of the feelings of nobility in the face of social chaos that one felt during the trial scene in *A Tale Of Two Cities*. He told how Bobby Seale's trial had changed venue all the way to New Haven; and that after three months of *voire-dire-ing*, a suitable

it was impossible
to try Miranda until
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jury for the San Quentin 6 was still not found. Garry flatly stated that "it was impossible for Bobby Seale to have a fair trial" -- that his trial was really society on trial. He referred to Jensen's statement that Huey Newton was "tried and convicted by the Oakland Tribune on Sunday, after being arrested on Saturday," at the peak of the Black unrest of the sixties. Garry said that society was by these trials trying to review its own values to take its self-awareness to the courtroom to be clarified. Unlike Flynn, who wanted his clients shielded from the public view (as if they were crooks or something), Garry wanted to throw the courtroom open -- only in the public arena could justice see itself vis-a-vis his clients (as if they were heroes or something).

The consensus was that the public does have a right to know what is happening at a trial ("such as the Angela Davis trial," said Ann Fagin Ginger) but that the "dancing bears and jugglers outside of the courtroom" which Prof. Horton via Doonesbury pointed out as being the atmosphere pervading the Hearst trial, is not tolerable. All agreed that pretrial hearings should be out of the reach of the press.

The Patricia Hearst trial is of course of great significance to this topic at this moment. "Patricia" is by definition "ruling class": is "Patty" the people's heroine or the "Patsy" of the press? is the media feeding us circuses while the government hands out bread? In

"all agreed that
pretrial hearings
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reach of the press."

the perspective of history, will the hubbub be labelled "a public uproar", a "public hanging" or a "public trial"? Since trials are, after all, public affairs, why should a television camera not be granted the right of a citizen to sit in on a trial, so that we need not be subjected so mercilessly to the editorializing of the press and, as Judge Holohan said, as a benchside member of the melee, "Then we can make our own mistakes."

Of course there is one very overwhelming danger to this: apparently, when a lawyer gets in front of a television camera, he feels obliged to put Sir Lawrence Olivier to shame.

Jackqueline Garner

State of the Placement



By Dennis Livingston

For those of you now working, the summer "crunch" of finding work holds little meaning. But the time of the year has again arrived when the scrambling for the precious few legal jobs shifts into high gear. In a lengthy and candid conversation with William "Bill" Cummings, director of the placements office, many things which may be of interest to all were discussed.

Mr. Cummings' office has come under criticism for its lack of vigor in finding and securing more legally related jobs for students. Perhaps an explanation of the director's administrative duties may clear some muddy water for many. Cummings' responsibility is three fold. First and foremost, he is in charge of placements; secondly he is responsible for alumni relations; and lastly, "developments" or money raising for the law school. Precisely how much time the director allocates to each was not made entirely clear, but the "great proportion" of what he does is placements.

Well, you might say, how exactly does he "place"? Basically there are three types of placements, the first of which is post-graduate. Here, recruiters are encouraged to come to USD and interview possible candidates for their respective agencies or offices. The problem is getting these people here. Cummings stated the "agencies will be coming less and less" as the demand for new talent has declined due to the decrease in their turnover rate. Where people used to stay for two or three years, they are now staying permanently (and here the IRS was used as an example).

Also, private firms come to USD. Benefactors, such as Marvin Kratter, help in persuading major national firms to recruit at USD. But in discussing the last major New York firm who came (one twice as large as Luce, Forward & Gray, Cary—two of the larger ones here in San Diego), Cummings made a distinction between the way Eastern and Western lawyers think and said that the New York firm pointed out to him that USD students were "all very nice but naïve about what goes on in a big city law practice". No one from here has been hired thus far.

When questioned about the Los Angeles market, the director responded that "cracking it was tough" and explained that they're just not interested in coming down this far when there's easy pickings from four or five major law schools right in L.A. Attempts are being made, however, to persuade more L.A. firms to recruit at USD.

Getting right down to the nitty-gritty, Cummings was asked what percentage of this year's class can expect to find work. He responded with figures from last year's class, compiled from 120 replies to letters sent out to every graduate, showing that 85-90% of the class had been placed. At this time the placements office is actively working on only 20 or so resumes of people who have not received jobs. The accuracy of these

figures were not verified and Cummings himself pointed out that they were "guesstimates".

Another major problem is that USD students are not willing to work just anywhere. Cummings suggested that if students were willing to live in San Bernardino, Riverside, or even L.A. then jobs might be easier to locate. People simply do not want to live in those areas but would rather stay in San Diego where there are currently more law students than lawyers. A second type of placement is that of legal research projects. The placements office keeps cards on students who have signed up, indicating their preferred area of interest. The cards are "stacked" as they come in. Thus, when a legal research project needs people, the student whose card is on top and indicated the area with which the project deals will be selected. Not all projects are handled in this manner as some are posted (the Foto-Mat project for example). Nearly all, however, are paying. This is an excellent way for first-year students to get some practical experience as well as an entry for their resumes. If you have not yet completed a card, it only takes a minute and you are encouraged to do so.

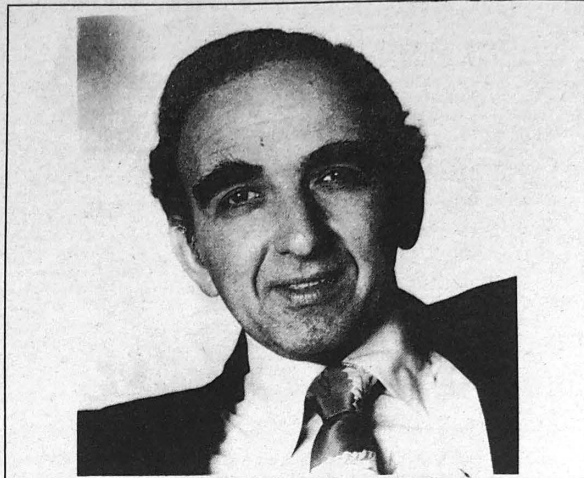
The final type of placement is, of course, clerking. As the crowds around the bulletin board swell and the number of new entries decline, the folders, containing resumes to be sent to the prospective employers are literally jammed. The procedure for handling law clerking positions is relatively simple. If a call comes in expressing the need for a clerk, a note is placed on the board informing students of both academic and time requirements. The jobs are usually coded and the reason, Cummings explained, is that there have been incidents in the past where the job description would be stolen off the bulletin board. Thus, by concealing the name of the firm, a would-be sicko is discouraged from such practice.

Much has also been said of the requirement for certain positions such as top 20% and alike. Cummings stressed the fact that he adds nothing to what the employer requests. If an employer asks for certain academic qualifications and background, the placements office will comply by conveying these to you. There are, however, limitations as to what may be required, as there is a strict non-discrimination policy in the placements office. If one calls up and requests only men or minorities, for example, Cummings will turn away such inquiries and refuse to post notification of the job. There are obviously pros and cons to such a practice, as an attorney will usually hire the type he/she seeks anyway. But the policy is strictly adhered to and no exceptions will be made.

It is rare that interviews are arranged for clerking positions directly through the placements office. Cummings discussed his function in this respect. "We don't get anybody jobs. We try and create opportunities where they can go and talk

Continued on Page 5

Candidate Wallach Speaks



"We need someone in the Senate who can make things happen," explains Robert Wallach, candidate for the Democratic senatorial nomination addressing students and faculty at USD. "We don't have this in Senator Tunney."

The candidate calls Tunney "an accident who reached the Senate on the name of his father (former heavyweight boxing champion Gene Tunney) and the fact he was a college roommate of Ted Kennedy."

Wallach describes himself as a political reformer in the style of a populist dedicated to improving education, health care and employment.

Wallach, 41, is a native of New York City. He is a graduate of the University of Southern California and the University of California School of Law (Boalt) in Berkeley. He passed the bar examination in 1958 and began his career soon thereafter in San Francisco.

Wallach has just concluded a term as president of the Bar Association of San Francisco and is presently a professor of law at the Hastings College of the Law.

Wallach said that there are six issues which he will be stressing in his campaign:

—"I came out in favor of the nuclear initiative a long time ago," he said. "I know it cost me some votes in the Democratic primary from labor... however, I feel that nuclear power is so controversial that we should at least go slowly. A disaster at a power facility could make a whole area uninhabitable for 100 years."

—"I'm for national health care. We cannot have a strong country without people who feel they have a right to adequate health care."

—"I shall make a major assault on the decay and demise of our public education system. All signs of life are there but it's already dead. We are pouring out tens of thousands of illiterates who can't get jobs and who turn to crime."

The growing illiteracy will "sow the seeds of demagoguery," he added, because "people will have no vested interest in a democratic society."

—"I want to talk about the roots of crime, not 'law and order'. Eighty per cent of the crimes in this country are related to drugs."

Wallach wants to register heroin addicts as they do in Britain, where addicts can get heroin in hospitals. The British have lowered their crime rates and drug addiction through this program, but they lack a rehabilitation program. Wallach believes rehabilitation must be a part of this program.

—"I want to work towards maximum employment. Paying \$20 billion a year for unemployment is the height of stupidity."

—"I believe that a society, to be great, must also be compassionate. I endorse the rights of people. I will work for the protection of the rights of the child, the rights of older Americans, and the rights of the mentally and physically disabled, — three significant segments of our society with virtually no political persuasive power. I will recommend specific programs as the campaign progresses."

AUTHOR'S OPINION

In Bob Wallach's campaign literature he states: "the time to accept as political leaders individuals who are just 'so-so' in the job is over. The time to reject the proposition that only people who have devoted their lives to political ambition are capable of making decisions in the political arena now. There are literally thousands of individuals in all walks of life and from all backgrounds, more qualified to be a United States Senator of California than either the incumbent or those of the Democratic and Republican parties who have announced their intention to run. I am one of those people."

This statement at first blush may appear to be somewhat egotistical — nonetheless, it is true. The Woolsack staff through interviews, press conferences and speeches has had exposure to S.I. Hayakawa, Tom Hayden and John Tunney. Although differing in their views of the direction that America should take they all have something in common: mediocrity.

Examples: When S.I. Hayakawa was last at U.S.D. he gave a speech which was so muddled and riddled with internal contradictions that most of the audience felt embarrassed for him. During the question and answer period the students in the crowd restrained themselves and only asked very simple questions. Not only could he not answer the question but he also evidenced large gaps of knowledge in such areas as foreign affairs.

The Woolsack has had three expositures to Tom Hayden, the voice of the Hollywood New Left, twice at press conferences and once at a speech he delivered at USD. Aside from his political views, Tom Hayden has a great deal in common with Gerald Ford (adjunct President of the United States); they both speak in a monotone, both are nice guys, both spout worthless rhetoric which they can not back with logical thoughts and both have wives who are eminently more qualified for the office they seek than they are.

John Tunney is a good speaker and superficially an attractive candidate. However, his record speaks for itself. He supported the B-1 bomber, a project that even persons in the Pentagon opposed. He opposes national health care. He helped to bail out Lockheed. And most importantly, in the period of his tenure as Senator, no one speaks for his intellectual capacity, his insights, his creativity, or even his dedication or perseverance.

On the other hand, Bob Wallach impressed those that heard him as being an exceptional speaker, someone with a great deal of intelligence whom Californians would be proud to call their U.S. Senator.

Professor Katz Interviewed

By Armand Hyatt & Bob McDonough

A noted criminal attorney, Lou Katz, is teaching a constitutional seminar in the area of his specialty—pre-trial criminal motions. A graduate of Hastings, Mr. Katz moved south to the city in motion and has prospered as an advocate of constitutional rights in the criminal process. He is a member of the ACLU, a vice-president of the California Attorneys for Criminal Justice, and is on the Board of Directorship of the National Association of Criminal Defense Lawyers.

The following is from a recorded interview with Mr. Katz:

WOOLSACK: Have you found the courts to be receptive to some of the more esoteric motions you have advocated in your constitutional seminar?

LOU KATZ: Trial judges are bound by stare decisis and very few are willing to make waves and consider new motions. However, they will let me make my cases, raise the issue, and make my record for appeal. The appellate courts have been very receptive to constitutional issues.

WOOLSACK: Given the common discrepancy between the client's story and the police testimony, are there any tricks of the trade for impeaching policemen and telling the jury that they are not as accurate as they claim?

LOU KATZ: I start with an examination of the legal issues and I am less concerned with the facts of the case. Do I have a basis for challenging the police officer and what information can I obtain from the police officer? I do ask my client what happened at the time of arrest, what the officer told him, and any other details concerning his contact with the police. I use this information for impeachment or to show the officer that I know more than he thinks I know—hoping that he might back off from his statements.

It is very difficult to impeach an officer. Every week the D.A. gives me a



Professor Katz

lecture on what is legally obtained evidence. Consequently, they have the game all figured out on how to make their story sound plausible.

A good way to get impeachment is to take his testimony on several different occasions, carefully read the transcript of the previous testimony, and question him on those areas of variance to see if he gives contradictory statements. If there are two officers, then you should separate them when they testify. You are almost assured of conflicting versions.

At the point where you have the officers versions contradicting each other and the version given by the client, you have to argue to the jury and convince them to believe your client and not the police.

One method is to use newspaper stories where the police have been indicted and have admitted to making

mistakes. I make it a point of keeping all these stories so that I can show the jury that the police are not infallible.

WOOLSACK: Do you have any comments on the Lawyers Guild in San Diego and as to how viable an organization it will be in the future?

LOU KATZ: I have been acquainted with the Guild since my first year in law school. I am not very familiar with what it is doing locally, but I have attended some of their programs and I know that they are setting up a labor law office.

Their work is something which in my experience is not done by other organizations. They are in the forefront of the law. If the Guild did the kind of work which the ACLU does, then the Guild is not serving its function. It should be a gadfly. An organization that moves one step further than the establishment.

WOOLSACK: Is labor an appropriate area

for their energies?

LOU KATZ: I have to hedge on that, I don't know enough about the labor field in San Diego. For the past eight years I have been working exclusively in the area of criminal defense.

I respect the judgement of the people who are working on the project. The Guild should not confine itself to any one project. It should go wherever there are inequities or injustices.

WOOLSACK: Do you have any advice as to when one should pursue a hot constitutional issue and whether this may conflict with being the best advocate of your client's interests? How should the delicate balance be struck?

LOU KATZ: I may not be answering your question, but one thing I have learned and I am constantly learning it is that I am not God. Consequently I am not to make my client's decisions. He looks to me for advice and he usually follows it, but I am only his agent. His interests are primary and ultimate.

It would be nice to be forever listed in the law books as the person who abolished the death penalty. Yet, if I can keep my client out of the gas chamber without having the court make the decision, perhaps by having the case dismissed, then I will do so. I must follow the steps that will give my client the most likely successful result.

WOOLSACK: As a final question, just why are you teaching this course?

LOU KATZ: Because there is not enough emphasis in legal practice on the constitutional aspects of criminal law. You can be of most service to your client by avoiding trial. In many cases I have done this by filing what you have called esoteric pre-trial motions. I am successful at this not because I am a genius or because it is me, but because I have come to realize these motions play a very important function in criminal procedure. I hope to make the student aware of the potential power of these motions.

Tax cont.

Continued from Page 1

were not a required class. There was little doubt in her mind that students in elective courses have better motivation. She said that her elective classes in similar subjects, Tax II and Federal Estate and Gift Tax, are more enjoyable to her and to the students than Tax I.

Professor Velman favors text materials in addition to cases in her Tax I classes. She doubted that pure Socratic method would be appropriate for teaching the course.

On the specific issue of the requirement, Professor Velman seemed to be of divided sentiment. She noted that all requirements are in a sense paternalistic and yet, like Dean Lazerow, expressed concern that some students might otherwise graduate into a world of paractice with its attendant tax problems and be unable to deal with those problems.

COMMENTARY

First, let me apologize for the lack of views of practicing alumni. There were simply none submitted, perhaps due to the more immediate tax concerns that occupy people's time at this point of the year.

Placement cont.

Continued from Page 4

themselves into a situation. Part of that goes on here, part of that the law student's got to do on his own—it's a concurrent type of situation." Cummings was a little skeptical about such things as individual telephone campaigns, resume "splashing", and building "cruising" trying to get by secretaries, but emphasized that it's better to do that than nothing at all.

It should also be noted that merely because summer is approaching and students will be free, the legal business,

I also want to state my biases early in the commentary portion of this article. I have not yet taken Tax I. I plan to take it this summer here at USD. I probably would have taken it eventually even if it were not required, although my orientation is not toward business planning or corporate law. As I view the overall subject of requirements, the balance is always weighted on the side of free choice in education and any requirement must clearly be essential in order to be justifiably imposed on students of post-graduate standing, who presumably must some day begin to make their decisions and accept consequences on their own.

After hearing some impressive statements from Dean Lazerow in support of the requirement, I have still concluded that Tax I should be dropped from an already long list of required courses.

The reasons for this conclusion are in the following paragraphs.

This is no longer a bar course. Even if it is in some other states, the administration frequently reminds us that this is a school of general law and not a trade school where one learns how to pass

bar exams.

Unless a person elects to devote a substantial portion of his practice to tax cases, he can handle tax problems by referral to specialists in and out of the bar. For fairly small amounts on individual income tax returns, we must question whether any lawyer is a better value for the client than commercial tax preparation services.

As for the knowledge needed to recognize tax problems in other areas of practice, it seems possible that it can be acquired in ways other than by a required course in law school. Any requirement takes up space on a student's schedule, reduces his range of choices, and compels him to risk a detriment to his academic standing.

Finally, is a class composed of in large part of unwilling students really a learning situation for them? How many of you still *parlez* or *habla* much of the foreign language you had to learn in college?

If the tax requirement really succeeds in imparting valuable knowledge to students, how can it have happened that three students who had successfully completed Tax I were unable to fill out

Form 1040A without the IRS instruction booklet? (An actual occurrence at USD—the names of the three students are being withheld pending notification of next of kin.) It was no tax computation or lack of tax tables that stumped them, but simply the question of whether a single person can take one or two exemptions for himself!

Most arguments to support the tax requirement seem to beg the question and assert the importance of tax law. I would not argue with that assertion, especially since I did not challenge it in the first place. However, the reasons for the actual requirement of a tax course at this school fail to convince me, notwithstanding the sincerity of the proponents of the reasons.

If you are opposed to the tax requirement, you have essentially two options. You can either follow the advice formerly given to rape victims and "relax and enjoy it" (day students, remember that you have to complete it by the end of the summer after your second year) or you can petition the appropriate faculty committee to abolish the requirement. Unlike deciding whether or not to take Tax I, in this case you have a choice.

unlike the tourist trade, does not necessarily boom during this season. "The key to it is to find jobs **now** that get more hours in the summer time". But Cummings went on to say that it is "illusory to think that attorneys are going to hire merely because law students are out of school."

Cummings discussed two major inter-related problems confronting his office. The first is a lack of communication between the law school and potential employers. The second is a lack of money. Cummings would like to

increase advertising, send out mailers, and wage widespread telephone campaigns. All of these take manpower and money, and in both respects the placements office is handicapped.

COMMENTARY

In light of today's job market, more and more are dependent upon the placements office and therefore more money ought to be expended to facilitate its function. In closing, I would like to urge the following:

1. For first year students, fill out a

legal research project card and submit resumes even for jobs calling for 2nd or 3rd year students. As a backdrop for the summer, go fill out an application at the zoo.

2. For second year students, submit resumes for anything and everything. Buy a new outfit (C&R for the men, Akron for the women), buy a briefcase, and make plenty of copies of last year's memo (a writing sample) and go badger every attorney in the Yellow Pages.

3. For third year students, move to San Bernardino or Riverside.



The Rules of the Game and the Scoring

Participants are required to throw a minimum of four darts a semester for three years and score 85 points to get out of the game. Assume compliance with residency units.

Targets -

1. Harvey Levine - Hit me and I'll walk out of class.
2. Rod Jones - Miss me and you miss nothing.
3. Jack Kelleher - Hit me and we can go down to the Backdoor for a beer.
4. Any adjunct professor - Hit me and I'll show up 50% of the time. Hit me again and I'll bore you with war stories about the real world out there.
5. George Washington - Hit me and I'll give you a revolution.
6. Dean Weckstein - Hit me and I'll smile at you and shake your hand. Hit me again and I'll tell you why we can't do it this year.

7. Paul Wohlmut - Hit me and I'll ask you to reconcile **Brown v. the Board and Plessey v. Ferguson**

8. John Roche - Hit me and spend six weeks in Juvenile Hall.

9. Rudy Sandoval - Don't hit me.

10. Author Hughes - Hit me and I'll cut the law school budget.

11. Darryl Bratton - Hit me and we can go play basketball

12. Robert Simmons - Hit me and I'll give you a sermon on Civil Procedure. Hit me again and I'll give you a sermon on Remedies.

Bull's Eye -

Hit me once and you'll get a 70 or below in Property.

Hit me twice and you'll get a 70 or below in Tax.

Hit me again and you'll be petitioning to get back in school.

BAY AREA REVIEW COURSE

bdr

See Your Reps:

BOB EISENBERG 279-9294 or 291-3232 (work)
ED DARELSKI 223-8661 or Woolsack Office
CHRIS KOCH 222-3419 or 236-1133 (work) or SBA Office
JIM DAW 276-8577
RICK ARNOLD 287-8649 or 238-1199 (work)
SUE WAGGENER 299-5484 or Law Review Office



The Woolsack is pleased to announce the acquisition of two ace reporters from The Daily Planet. Clark and Lois were gotten in exchange for three rookie reporters, the Woolsack's 1977 first round draft pick, a draft beer, a draft horse, a draft Hubert Humphrey bumper sticker, and a box full of sick (sic) jokes.

A Continuing Series

Distinguished Lecherers

All distinguished lectures will be given in the Rare Book Room of the Kratter Library every Saturday at 7 p.m. Applause and Cordials will follow and attendance will be taken. Admission is free.



Edward J. Filbert on "The Importance of the Closing Argument: Origami Time" or "You take a blank piece of paper and make a beautiful swan."

Law Review Articles: "Laying Back in the Weeds: John Barrymore or Casper Milquetoast?"

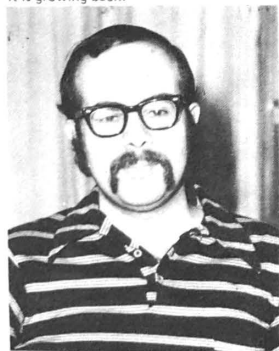
"How to Cross-Examine the Unprepared Student"

"The Correct Pronunciation of



Professor Charles Wiggins will speak on "Slip Sheets and Pocket Parts of The Art of Keeping on One's Toes, ... 2, 3, 4."

Professor Wiggins is not now nor never has been a member of G.B. Trudeau's stable of models nor part of Ringling Bros. Barnum & Bailey Troupe of Circus Clowns. It is not true that Professor Wiggins is losing his hair rather, it is growing back.



Professor Ed Imwinkelreid will speak on "The Importance of Making One's self Understood and Moustache Grooming". He is reputed to be no turkey in the classroom.

Law Review Articles -- "Gone Like a Cool Breeze"

"Was the Flight of Joseph and Mary to Egypt an Example of Morgan Hearsay or Proof of "Consciousness of Guilt?"

Wanted

1 25 lb. 7 year old male cat with street experience. Must be self-starter, able to work without supervision, & good with dogs. Reply Woolsack office.



Prof. Alexander -- After curling his hair and straightening his act, will talk around the subject of "Winning Friends and Influencing Minorities Through the Use of Final Exams."

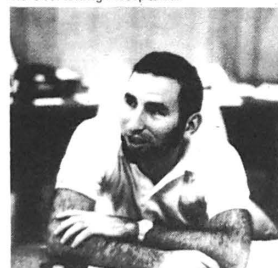
Law Review Articles -- "The Art of Airy Speech"

"The First Amendment or What's So Great About Communication?"



Professor Frank Engfelt -- On "Bribed Jockey, Pregnant Cow or Purloined Panties ... Are They Non-Conforming Goods?"

Law Review Articles -- "The Curse of the Overtaking Acceptance"



Herbert Lazerow, Dean of the U.S.D. School of Isobel, will give 4 lectures on the topic: "How to Teach a One Hour Property Class: Method and Madness."

Law Review Articles: "The Effect of the No Dogs In the Classroom Rule upon *Pierson v. Post*" (Volumes 4 through 17).

"Tax in Southeastern Zambeema: A Comparative Study" or "How Would the Commissioner Argue."

Dean Lazerow is also a member of the California Law Revision Committee. His suggestions include replacing the gavel with the demi-tasse cup of water.

Newsflush

Larry Kapiloff. San Diego state assemblyman is trying to clean out massage parlors by outlawing massage between people of opposite sexes. It seems that sex between consenting adults is now okay, but massage not? No more female nurses massaging male patients?



Coach Dean Weckstein speaks on "A Boy and His Law School or Make Me an Offer, Hastings"

New Curriculum Proposed

By Vern Tweedie & Steve Laudig

Reforms in the traditional law school curriculum have been called for from many quarters and nickels and dimes. From equally as many quarters this call for change has been denounced as conspiratorially inspired and basically no good and corrupt. Chief Justice Burger, Circuit Judge Friendly, the ABA, certain student groups and certain isolated faculty members have addressed the problem of the lack of "relevance" in legal education.

Unsuccessfully so, though.

The clinic education approach is apparently ineffective and lacks scholarly validity. The case study method is

breaking down under the crush of too many cases to study. It is accused of lacking any practical value and any reasonable relation to activity outside of the classroom. The problem method is promising but, as yet, untried.

A few radicals have proposed that since relevance cannot be approached, far less achieved, the curriculum should be abolished. It is better to permit ignorance than promote insanity, they say.

To remedy this situation a proposal will be submitted this week to the curriculum committee and hopefully approved by acclamation after only a short procedurally inspired hearing.

The proposed courses are as follows:

Bankruptcy Law

Business Planning

Business Regulation of Governments
Civil Liberties

Community Property

Comparative Constitutional Law
Contracts

Consumer Law
Copyright Law
Corporate Finance

Creditor's remedies
Criminal Corrections & Prisoner's Rights Seminar
Environmental Law
Expatriation Law
First Amendment Law
Fugitive Law

Gun Control Laws

Interviewing, Counseling & Negotiation
Law of the Sea

Law, Psychiatry & Contemporary Society
Military Law
Police Community Relations Law
Privacy Law
The Preliminary Hearing
Property Law
Race Relations

The Law of Search & Seizure
Sex Discrimination
Space Law

Trial Etiquette

Trial Techniques

Women's Rights in a Contemporary Society
The Sensuous Tort

Mayor Beame of New York City with special guest lecturer C. Arnholt Smith
Bernie Kornfeld, Investment Overseas Services
International Telephone & Telegraph
Park Chung Hee, and Idi Amin
Sonny of Sonny & Cher
Indira Ghandi

Rick Barry, George McGinnis, Wilt Chamberlin, and Joe Namath
Thornton Bradshaw
Clifford Irving
Board of Directors
Penn-Central R.R.
Dr. Leonard Bloom
Joseph Stalin

Anaconda Copper
Financier Robert Vesco
The Woolsack Staff
Patty Hearst & David Jansen
Rick O'Shay & the NRA
Henry Kissinger

Captain Nemo; representatives of the Columbian, Peruvian and Ecuadorian governments
Charles Manson

Sgt. Bilko
Bull Connor, Chief Ed Davis
Six unknown FBI agents
Perry Mason
Karl Marx & Adam Smith
Lester Maddox, Louise Day Hicks & George Wallace
Eliot Ness & Kojak

Hugh Hefner
Any constitutional law professor
Bobby Seale, Abbie Hoffman
Julius Hoffman (no relation)
Bishop Maher

The California Massage Parlour Association

A Religious Column

OFF THE WALL

by Steve Lauding

"If you have any doubts about the veracity of your ideas, take them outside and bounce them off the wall." Socrates to the First Law Professor.

Politician--n. An eel in the fundamental mud upon which the superstructure of organized society is reared. When he wriggles he mistakes the agitation of his tail for the trembling of the edifice. As compared with the statesman, he suffers the disadvantage of being alive.--Ambrose Bierce.

I'm sitting in front of my typewriter thinking about the deadline Tuesday for articles and wondering what I'm going to say about the political scene and what remains of the candidates. Friends have told me that the situation is past the laughing stage. They echo Lord Chesterfield, an English fantasy writer from the turn of the century, who wrote to his son that since attaining the full use of his reason nobody had heard him laugh. This is curious because since I attained the use of reason I have rarely stopped laughing. But I, unlike Chesterfield, frequently think about American politics.

Let's examine the ones who are gone, rather than no longer actively campaigning, but not forgotten by the Federal Elections Commission which is still sending out the matching fund checks. Pfc. Shriver announced that "for every beginning there's an end...and this is the end." It was, and there was cheering heard in the background. I tried to call him but apparently the phone company had shut off service to his campaign headquarters. Shriver has not quit running for the vice-presidency, however.

Birch Bayh, who entered late, left early. The manure-booted Hoosier Ted Kennedy look-alike spent almost as much time announcing for and withdrawing from the race as he did running.

Milton Shapp, I have learned, since my last article, is and was the governor of Pennsylvania. This credential evidently was not sufficient to set off a groundswell of support and Milt has withdrawn after garnering an amazing 1-2% of the vote in every primary he entered.

Fred Harris, after announcing earlier in the week that "a number of delegates who had been for Milton Shapp are now for me" withdrew and announced that he was releasing all 14 of his delegates. The delegates were later seen slipping out of the back of his Winnebago pulling their hats down and their collars up, apparently no worse for the experience. Fred's withdrawal left no populists in the field, which is where populists usually choose to stand. A populist has been

Populist,...a fossil patriot of the early agricultural period

defined as a fossil patriot of the early agricultural period characterized by an uncommon spread of ear which some naturalists content give him the power of flight. It seems Fred has exercised this power and gone elsewhere.

Terry Sanford, yes, you remember Terry Sanford, is still withdrawn from the race.

All is not withdrawal, however, and not a few have thrown their hats into an already crowded ring. Frank Church, recently notable for his lead in the musical "Going My Way with the CIA,"

pitched a perfect ringer with his ten-gallon biodegradable from the front steps of the Boise County Courthouse Bar and Grill. As he was throwing he stated, "It's never too late, nor are the odds ever too great." Church is representative of the hydra-headed nature of the liberal, pronounced libbbbbbberal wing of the Democratic party. As fast as a liberal drops out two will arise to replace him. Church has the support of Dinah Shore and the bagman from the Village Voice.

The long expected and unsurprising entrance of Jerry Brown, presently Governor of California and soon-to-be seer of the prophet, caught absolutely no one off guard except Leo T. McCarthy, his campaign manager. A few months ago Brown was asked whether or not he would run for the Presidency. His non-responsive reply was that "being governor is enough of a pain in the ass". Apparently Brown has quickly developed a tolerance for pain.

Brown is popular, unlike many Democratic candidates, as evidenced by the fact that 86.9% of all California voters approve of him which goes to show that Abe Lincoln or Bob Newhart was right when he said "you can't fool all of the people all of the time." Brown's major addition to the campaign is that he bills himself as a candidate who recognizes that we are now in an "era of

Brown is popular... unlike many Democratic candidates

limits." Brown thinks that people should "lower their expectations." He has convinced me. After he announced I immediately lowered my expectations of candidates and think them to be very limited.

Brown is new, but the Who described him years ago in the line from "Don't Get Fooled Again," "meet the new boss, same as the old boss, we don't get fooled again, no! no!"

Wayne Hays (D. Ohio), no relation to Woody, announced that he was a candidate from 6 of Ohio's 23 congressional districts.

What was once the "Greatest Show On Earth" is now a four ring circus. In the Center rings are Henry "Scoop the Poop" Jackson, and Smilin' Jimmy Carter. To the left is Morris Udall and to the right is George Wallace. In the order of appearance:

Scoop the Poop is a really unexciting candidate. I've been constantly scanning the papers in the hope of finding something interesting to say about him. But alas only three incidents of note have come out of his campaign: 1) A young man yelled "siege heil" and tried to spit on him in Madison, Wisconsin, he missed and was arrested; 2) Jackson had a beer in what used to be a speakeasy owned and operated by Dutch Schultz the gangster and; 3) He called for sending the Marines into Lebanon to keep the Moslem and Christian factions from shooting each other up. This last statement gained him much support in the Ecumenical movement.

If America is ready for a Christian ex-governor from Georgia, then Peanuts Jimmy is the man for the times; The electorate could easily confuse Jimmy Carter with a well-known Son of God because their initials are the same, as are their politics. Carter's favorite statement

to voters is "trust me," and has proclaimed his politics to be the politics of love. I hope his campaign ends more favorably than the earlier candidate's. Carter recently attacked programs coming out of Washington as being ineffective. H.H. Humphrey then attacked Carter's attack as being a new kind of racism. Carter responded saying that Humphrey

Scoop is a really unexciting candidate

departed from rationality and the truth and that the Hump was too old to be president. Mo Udall leaped to Hump's defense by attacking Carter for attacking one of "America's most respected, decent and compassionate leaders." Carter then said that he would take back what he said about the Hump being too old and irrational if the Hump would not call him a racist anymore. The Hump agreed. Everything was taken back. They kissed and made up. Such are the things that American politics are made of. A wise man once told me to "never eat in a cafe called Mom's, never play cards with a man called Slick, and never vote for a politician who says, 'Trust me!'"

Poor Mo Udall, the only liberal left and no one wants him. Excuse me, Udall is not a liberal. He is a progressive. A seminary student was once asked to state the difference between fornication and adultery. He was unable to answer.

George Wallace is still able to rouse rabble wherever he goes. Sometimes it's the wrong rabble. Nine college-age rabble, in Madison, Wisconsin, taunted Wallace by parading in front of him wearing Arthur Bremer masks and pushing wheelchairs. They carried signs stating "Free Artie Bremer, give him another chance," and "George, stand up and be counted." Wallace's support is slipping and he is reaching into his old reliable bag of racism to stop the slippage. He is

Enclosed for no extra cost (N.Y. residents include 10% sales tax) is a special **Res Gestae Notice to Quit**. This public announcement is brought to you in an attempt to increase your input into the political system and lessen someone else's.

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To: _____

Take Notice that you are required to quit your Presidential race and give up your campaigning within seven (7) days of your receipt of this Notice to Quit, unless the following conditions, herein-below specified, are corrected:

- ☐ 1. NONPAYMENT OF CAMPAIGN DEBTS in the sum of \$ _____, which sum is not only due and owing, but embarrassing as well.
- ☐ 2. EXTENSIVE AND SERIOUS IMAGE PROBLEMS, including by way of example and not by way of limitation the following:
 - ☐ a. Regarded as a turkey
 - ☐ b. Cannot be trusted
 - ☐ c. Endorsed McGovern in 1972
 - ☐ d. Cannot win in November
 - ☐ e. Defended Nixon in 1974
 - ☐ f. Allied with extreme positions
 - ☐ g. Controlled by political bosses
 - ☐ h. Has alienated the following politically powerful groups (please specify): _____

- ☐ 3. CONTINUING INABILITY TO WIN PRIMARIES

SWORN TO ME this _____ day of _____, 1976

Newsflush

San Diego Union/Tribune. Who says San Diego doesn't take much of a part in world affairs? According to Joe Trento, Democratic 41st District Congressional Candidate, just back from Washington. San Diego's Copley Press helps SHAPE the news. Case in point: Copley was responsible for teaching Chile's El Mer-

presently trying to convince Southerners that Jimmy Carter once slept with H. Rap Brown. They remain unconvinced.

Now for the two remaining Republicans:

Reagan recently got almost as much TV time crying in front of the camera about how the networks wouldn't sell him time as he ended up buying. A nice spin-off of the Reagan campaign is that the Equal Time provision keeps his old movies off the tube.

Jerry Ford is probably stupid to the point of dangerousness and is leading America in a charge back to the '50s. I don't believe in what Ford does, but I support his right to do it. Ford's most recent

Ford recently tried to eat a tamale without removing the husk.

gambit for the uncoordinated vote was his attempt to eat a hot tamale without removing the cornhusk wrapper. **MINOR CANDIDATES WHO IN A BROKED CONVENTION MIGHT HAVE A CHANCE!**

Soupy Sales--He is also being mentioned as the Graduation Speaker for the Law School. Frank Rose a/k/a--"Mr. Clean" is running for mayor in the Israeli town of Beersheba. Rose hates stubborn stains and built-up grime. Austrian Wolfgang Wick-Wick is highly regarded in business circles. He was recently nominated for the Presidency of Rotary International. Unfortunately Wick is a former Nazi party member and was called into the SS before the end of the war.



Subterranean Circus

By Boss Bob O.

FISH OUT OF WATER--Chris Squire--Atlantic

Though the picture on the front cover bears an astonishing resemblance to Paul McCartney, the sound emanating from within is a distant splash from the ex-Beatles' current brand of consistent musical commerciality. Chris Squire's **FISH OUT OF WATER**, the second in a series of solo releases from the members of Yes, is emblematic of a disturbing trend in vinyl verite. That is, the inclusion of one singularly exceptional track amidst a sea of filler. "Lucky Seven," the treasure of the album, succeeds largely due to its utter simplicity, funky direction, and exquisite bass work (hats off to Squire for the latter). The rest suffers from the same nemesis that has afflicted Yes the last couple of times out, namely that feeling of extended intensity which lacks both beginning and end. Squire's singing and playing are impressive, but fail to save this album from the ho-hum stack. Unless you can afford to invest in seven minutes of pleasure, spare yourself the post-purchase anxiety.

THE WETTER THE BETTER--Wet Willie--Capricorn

It has not happened for Wet Willie the way the storybook said it would. You see, Wet Willie was supposed to succeed the Allman Brothers Band as the glory team in the Southern fried rock championship. For one reason or another, the field has become overcrowded, and the Willies seem mired in the middle rung of the hierarchy. The guts of their sixth album, **The Wetter the Better**, remains chord-progression rock and roll, and from that vantage point, the boys fair no better or worse than on their previous five albums. The saving grace on the current album is a seductive, blues flavored, funky piece entitled "Everything That 'Cha Do," which incorporates a beautifully layered backdrop of Arp strings and precise fill guitar. Inexplicably, Wet Willie has dropped its female back-up vocalists, the world renown Williettes, resulting in more emphasis on instrumentation. While the live version of the band excels in blistering rock, the studio complement is incapable of capturing that feeling. If Wet Willie is ever going to break the bond of immutable mediocrity, it must continue to experiment with musical forms in the quest for a more appropriate niche.



The USD administration, after its successful fight to keep Hastings out of San Diego, has opened its own extension. An unidentified dean said he felt that USD could manage it. An ambitious young Corporations professor from Connecticut, who is not Chinese, has been slated to head this new addition to the USD Law Community.

The Subtlety of Serjants

compiled by Jonathan Kinsman

Impartial, adj.

Unable to perceive any promise of personal advantage from espousing either side of a controversy or adopting either of two conflicting opinions.

Inadmissible, adj.

Not competent to be considered. Said of certain kinds of testimony which juries are supposed to be unfit to be entrusted with, and which judges, therefore, rule out, even of proceedings before themselves alone. Under the rules of evidence as they now exist in this country, no single assertion in the Bible has in its support any evidence admissible in a court of law. But as records of courts of justice are admissible, it can easily be proved that powerful and malevolent magicians once existed and were a scourge to mankind. A burden which of all those that we load upon others and carry ourselves is lightest in the hands and heaviest upon the back.

Injustice, n.

A commodity which in a more or less adulterated condition the State sells to the citizen as a reward for his allegiance, taxes and personal service.

Kill, v.t.

To create a vacancy without nominating a successor.

Lawful, adj.

Compatible with the will of a judge having jurisdiction.

Lawyer, n.

One skilled in the circumvention of the law.

Liar, n.

A lawyer with a roving commission.

Injustice is relatively easy to bear, what stings is Justice.

— H. L. Mencken

A lawyer without history or literature is a mechanic, a mere working mason; if he possesses some knowledge of these, he may venture to call himself an architect.

— Walter Scott

It is not what lawyers tell me what I may do; but what humanity, reason, and justice, tell me what I ought to do.

— Edmund Burke

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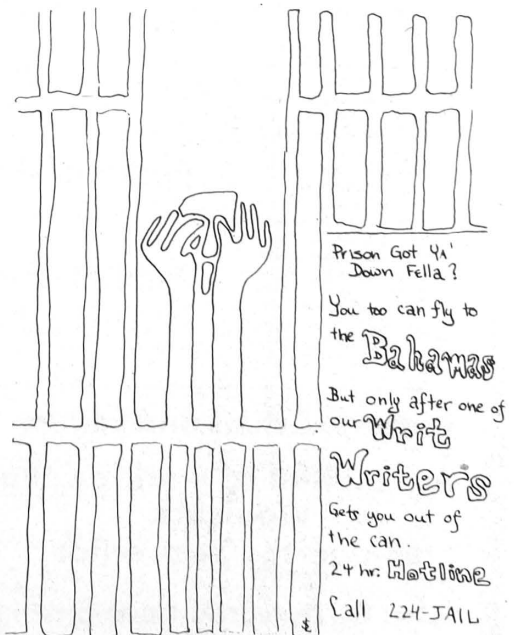
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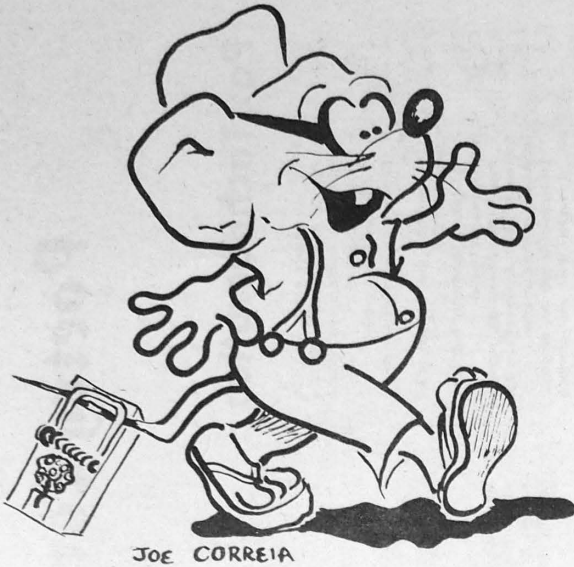
Law Laid Bare

Sonnets

Personal Ads

Public Notice

Sonnets by Virginia Casey Kohan
University of Pennsylvania Law School
Class of 1977



J.B. Mouse wishes
you all a
Happy Summer
Vacation and
Good Luck
on the Bar - Seniors



the woolsack

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Guest Sermon

Children, children, we are gathered here today to hear the first gospel of Cound and Friedenthal and the third epistle to the first year students from Moore's Federal Rules. Follow me, for I am the court's shepherd and shall lead you through the muddled waters of joinders and crosscomplaints to the path of true enlightenment on the subject of demurrers, for I am baptized in the name of the administration with the saving grace of tenure and need no longer come to class familiar with the facts of any given case. I am the prophet, and only the towering giant of a prophet Fink knows more than I do about grades and their correlation with attendance.

I say, there, is there a Ms. Smith, or is there a Mr. Probus? Do you want to be saved, do you want to see the light at the end of your struggle to be free from the temptation to do more interesting things than come to class? Do you think you can learn it on your own? You say that women in the class might appreciate a "her" or a "she" occasionally when preached to about lawyers and their roles? You say you're offended and angered to be subjected to sexist, racist, authoritarian, patronizing or condescending regimented institutions? Well, get ready, girls and boys, because this is just a training ground for what comes next. Don't be led astray by the false teachers of Legal Lines, Gilberts, and others. They are the dismissal in disguise and you will live to regret your folly, for res judicata applies...

Now, we will pass the seating chart, and I entreat you all to stay in your places, search deeply into your supplements, examine your points of authority and Rules, and give, give, to spread the way of the courts. And thank the law you have this wonderful opportunity to learn the true way to serve it and save your pleadings...

Thank you.

Newsflush

Patty Hearst's Lung. "I won't breathe a word!"

Peace & Taxes

Legislation is being considered by the House Ways & Means Committee which would establish a World Peace Tax Fund (H.R. 4897). The bill, sponsored by 23 Representatives, permits conscientious objectors to pay the military portion of their income taxes into a fund to be spent for peace-related purposes.

The reason why legislation is needed is because the IRS consistently denies that the free exercise clause of the first amendment applies to those conscientiously opposed to paying taxes for war.

Those interested in showing support for the bill can include a statement with their tax returns that payment is being made under protest, and send copies of the letter to their Congresspersons. More information is available from the National Council for a World Peace Tax Fund, 2111 Florida Avenue NW, Washington, D. C. 20008.

Janet Keuneke
From Res Gestae, U. Mich. Law School.

Spring Fever

Californians rarely notice Spring (Spring ... Summer, what's the difference?) But visitors from the East carry the season in their blood, and are never immune from the fancies flowing from the Vernal Equinox. A case in point is Massachusetts-born Cornelius Moynihan, Judge, who was recently seen chasing a little white res around the classroom.

Self-help

Write Your Own Column

Editor's note:

In response to reader demand for more say in what goes into **The Woolsack**, the editorial staff introduces a first in journalistic history: A Write Your Own Column Column. No longer are you restricted to what the writer says. No longer will your style be cramped by

unsympathetic editors. Free at last!

The world of mass media and the printed word is at your feet. Yes you can become another Citizen Kane, or Phyllis Schlafly. Fame, fortune and yellow journalism lie at your feet. Use your opportunity well though for the chance at fame comes only once in most people's lives.

Irate Student Socks Prof.

(reprinted from the Feb. 8, 1976 issue of **Kayhan International** newspaper, Tehran, Iran.)

A student who had failed one of his courses struck and broke the nose of his professor in revenge yesterday.

The student, from Tehran University's Faculty (School) of Law had approached his professor to haggle grades out of him, but was turned down.

The student later saw the professor talking to a friend on 21 st of Azar Avenue and attacked him, breaking his nose.

Fellow students condemned his act of violence in trying to get false grades.

Newsflush

Pete Wilson. San Diego's young Republican mayor ran on a "controlled growth" ticket. Natives think he is decorating San Diego a la Executive Sweet: they speculate he wants to be more than just a mayor, but wants to keep Headquarters in San Diego. A new Master-Servant community: fancy hotels and posh development for Executives, and reasonable quarters for the maids and busboys and tourguides who are the major proposed San Diego work force. Refreshing, Sleek Pete instead of Tricky Dick, who also had Southern California as his Executive headquarters.

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bookkeeping of multinationals journals
modern and future history.

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Bribery and careful pressure do the
trick.

Is the status quo the best of all
possible worlds?

In society, technocrats bed down
with torturers and fanatics.

Every advertisement that promises
fun, luxury, sexual fulfillment ease and
opulence is part of the seduction.

We become like gods thru the simple
act of paying taxes and providing
applause.

Coercion has given way to
manipulation.

All trains run on time including those
to the concentration camps.

But nothing ever quite works the way
the salesman promised.

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our throats.

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a summary by steve laudig and others

the woolsack

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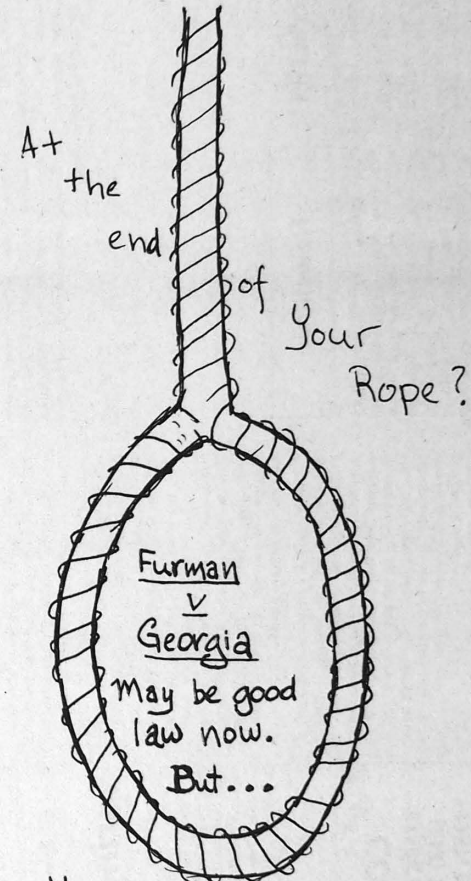
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